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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>		Application Number	10/775,640
		Filing Date	02/10/2004
		First Named Inventor	Alexander B.H. BAKKER
		Art Unit	1646
		Examiner Name	E.B. O'Hara
Total Number of Pages in This Submission	9	Attorney Docket Number	DX0763XB1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks/Enclosure(s): 1. Response to Restriction Requirement (3 pages) 2. Lanier, et al (1998) <i>Nature</i> 391:703-707 (5 pages)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
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Signature	<i>Sheela Mohan-Peterson</i>
Date	27-Sept-2006

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Attorney Docket: DX0763XB1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re application of:

Alexander B. H. BAKKER, et al.

Application No.: 10/775,640

Filed: February 10, 2004

For: MAMMALIAN CELL MEMBRANE
PROTEINS; RELATED
REAGENTS

Examiner: E.B. O'Hara

Art Unit: 1646

Conf. No.: 1877

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Commissioner for Patents
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Alexandria, VA 22313-1450

by:


MELANIE LYONS**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

This is a timely response to the Restriction Requirement dated August 29, 2006.

I. Restriction Requirement

The Examiner restricted the application into six separate inventions:

- I. Claims 1-6, drawn to polypeptides, classified in class 530, subclass 350.
- II. Claims 7-9, drawn to binding compounds comprising an antigen binding portion from an antibody which selectively binds polypeptide, classified in class 530, subclass 388.22, for example.
- III. Claims 10-18, drawn to polynucleotides, vectors, host cells and a method for producing a polypeptide recombinantly, classified in class 536, subclass 23.5, class 435, subclasses 320.1, 252.3 and 69.1, for example.
- IV. Claim 19, in so far as it is drawn to a method of contacting cell or tissue culture cells with an antagonist of unknown composition, class and subclass unclassifiable.
- V. Claim 19, in so far as it is drawn to a method of contacting cell or tissue culture cells with an antagonist of unknown composition, class and subclass unclassifiable.

- VI. Claim 20, drawn to a method of screening for a compound which blocks interaction of a polypeptide with a receptor, comprising contacting said compound to said polypeptide in the presence of said receptor, classified in class 436, subclass 501, for example.

Applicants provisionally elect Group II, Claims 7-9, drawn to binding compounds comprising an antigen binding portion from an antibody which selectively binds polypeptide, classified in class 530, subclass 388.22, for example, as discussed in the present Restriction Requirement.

The Examiner further restricted the present application as follows:

- A. Human DAP12
- B. Rodent DAP12
- C. Human DAP10
- D. Mouse DAP10
- E. Human MDL-1
- F. Mouse MDL-1

Applicant provisionally elect Group A, human DAP12, with traverse. Applicants submit that the amino acid identity between human and rodent DAP12 is approximately 70%, as evidenced by Lanier, et al (1998) Nature 391:703-707 (see, e.g., page 704, Figure 1c, and first column). For this reason, Applicants respectfully disagree that searching binding compositions for human and rodent DAP12 together would be a serious burden. Reconsideration of this restriction is respectfully requested.

Applicants will address the issue of inventorship for the elected claims and amend inventorship appropriately if the elected restriction is made final.

Applicants reserve the right to file subsequent applications claiming the non-elected subject matter and do not waive any of their rights or abandon any non-elected subject matter. Since Applicants have fully and completely responded to the Restriction Requirement and have made the required election, this application is now in order for early action.

If the Examiner believes that a telephone conference would aid the prosecution of this case in any way, please call the undersigned.

Applicant believes that no additional fees are due with this communication. Should this not be the case, the Commissioner is hereby authorized to debit any charges or refund any overpayments to DNAX Deposit Account No. 04-1239.

Respectfully submitted,

Date: 27-Sept-2006

By: Sheela Mohan-Peterson
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Enclosure: Lanier, et al (1998) *Nature* 391:703-707